

1 students to walk upon shall be set off the road by no less
2 than 3 feet from the edge of the road.

3 2. The provisions of subparagraph 1. do not apply when
4 the road along which students must walk:

5 a. Is in a residential area which has little or no
6 transient traffic;

7 b. Is a road on which the volume of traffic is less
8 than 180 vehicles per hour, per direction, during the time
9 students walk to and from school; or

10 c. Is located in a residential area and has a posted
11 speed limit of 30 miles per hour or less.

12 (b) Walkways perpendicular to the road.--It shall be
13 considered a hazardous walking condition with respect to any
14 road across which students must walk in order to walk to and
15 from school:

16 1. If the traffic volume on the road exceeds the rate
17 of 360 vehicles per hour, per direction (including all lanes),
18 during the time students walk to and from school and if the
19 crossing site is uncontrolled. For purposes of this
20 subsection, an "uncontrolled crossing site" is an intersection
21 or other designated crossing site where no crossing guard,
22 traffic enforcement officer, or stop sign or other traffic
23 control signal is present during the times students walk to
24 and from school.

25 2. If the total traffic volume on the road exceeds
26 4,000 vehicles per hour through an intersection or other
27 crossing site controlled by a stop sign or other traffic
28 control signal, unless crossing guards or other traffic
29 enforcement officers are also present during the times
30 students walk to and from school.

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1 3. If the road has six or more lanes whether the
2 intersection or crossing site is controlled or uncontrolled.

3 (c) Residents designated as sexual predators or sexual
4 offenders.--It shall be a hazardous walking condition with
5 respect to any section of road along which students must walk
6 in order to walk to and from school if a resident on that
7 section of road has been designated as a sexual predator under
8 s. 775.21 or a sexual offender under s. 943.0435 whose victims
9 include a minor.

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11 For purposes of this subsection, traffic volume shall be
12 determined by the most current traffic engineering study
13 conducted by a state or local governmental agency.

14 Section 2. Paragraph (b) of subsection (22) of section
15 1002.20, Florida Statutes, is amended to read:

16 1002.20 K-12 student and parent rights.--Parents of
17 public school students must receive accurate and timely
18 information regarding their child's academic progress and must
19 be informed of ways they can help their child to succeed in
20 school. K-12 students and their parents are afforded numerous
21 statutory rights including, but not limited to, the following:

22 (22) TRANSPORTATION.--

23 (b) Hazardous walking conditions.--~~K-12~~ ~~K-6~~ public
24 school students shall be provided transportation if they are
25 subjected to hazardous walking conditions, in accordance with
26 the provisions of ss. 1006.21(3)(b) and 1006.23.

27 Section 3. Paragraph (b) of subsection (3) of section
28 1006.21, Florida Statutes, is amended to read:

29 1006.21 Duties of district school superintendent and
30 district school board regarding transportation.--

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1 (3) District school boards, after considering
2 recommendations of the district school superintendent:

3 (b) Shall provide transportation for K-12 public
4 ~~elementary~~ school students in membership ~~whose grade level~~
5 ~~does not exceed grade 6, and may provide transportation for~~
6 ~~public school students in membership in grades 7 through 12,~~
7 if such students are subjected to hazardous walking conditions
8 as provided in s. 1006.23 while en route to or from school.

9 Section 4. Paragraph (e) of subsection (1) of section
10 1011.68, Florida Statutes, is amended to read:

11 1011.68 Funds for student transportation.--The annual
12 allocation to each district for transportation to public
13 school programs, including charter schools as provided in s.
14 1002.33(17)(b), of students in membership in kindergarten
15 through grade 12 and in migrant and exceptional student
16 programs below kindergarten shall be determined as follows:

17 (1) Subject to the rules of the State Board of
18 Education, each district shall determine the membership of
19 students who are transported:

20 (e) With respect to K-12 ~~elementary school~~ students
21 ~~whose grade level does not exceed grade 6,~~ by reason of being
22 subjected to hazardous walking conditions en route to or from
23 school as provided in s. 1006.23. Such rules shall, when
24 appropriate, provide for the determination of membership under
25 this paragraph for less than 1 year to accommodate the needs
26 of students who require transportation only until such
27 hazardous conditions are corrected.

28 Section 5. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Expands the application of laws concerning hazardous walking conditions for purpose of transportation to schools to include all K-12 students. Revises criteria for determining hazardous walking conditions.